

6-22-06

2/2/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 02-742-O; 400/144)

In the Application of:

McSwiggen et al.

Serial No.: 10/764,957

Filing Date: January 26, 2004

For: RNA Interference Mediated Inhibition
Of Vascular Endothelial Growth Factor
And Vascular Endothelial Growth Factor
Receptor Gene Expression Using Short
Interfering Nucleic Acid (siNA)

Examiner: GIBBS, Terra C.

Group Art Unit: 1635

Confirmation No. 9923

TRANSMITTAL LETTER

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Amendment and Response to Restriction Requirement;
 - b) Petition for Extension of Time;
 - c) 3 CD-ROMS
 - d) Transmittal Letters for Copy 1 and Copy 2 of the Sequence Listing on CD-rom;
 - e) Statement Under 37 C.F.R. § 1.821(f); and
 - f) Return postcard.
2. With respect to fees, please charge \$60.00 and any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

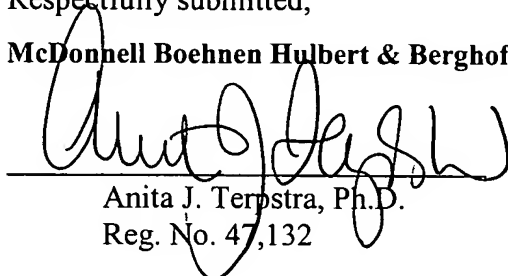
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.10: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service under Express Mail Label No. EV839383339US in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 21, 2006.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff, LLP

Dated: June 21, 2006

By:


Anita J. Terpstra, Ph.D.
Reg. No. 47,132



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("060621_1533") submitted under 37 C.F.R. § 1.52(e):

- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "02-742-O Sequence Listing.txt" which is 194,560 bytes in size and created on 06/21/2006.

2. Statement under 37 C.F.R. § 1.52(e)(4): The undersigned certifies that the CD-R submitted herein, titled "060621_1533" (COPY 1) and the CD-R entitled "060621_1533" (COPY 2) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff, LLP

Dated: June 21, 2006

By:

Anita J. Terpstra, Ph.D
Reg. No. 47,132

McDonnell Boehnen Hulbert & Berghoff LLP
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